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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

11 VOSSEN WHEELS, INC.,
12 Plaintiff,

13 v.
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15 TOPRICH (U.S.A.), INC. D/B/A
16 REDLINE WHEELS, INC.; JAT
WHEELS, INC. D/B/A STR RACING;
A SPEC WHEELS & TIRES, LLC;
ALICIA LUO; AND DOES 1-10,

17 Defendants.
18

Case No. 2:13-CV-7747-ABC (CWx)

**[PROPOSED] ORDER FOR
PRELIMINARY INJUNCTION**

Judge: Audrey B. Collins

20 Pursuant to Federal Rules of Civil Procedure 65, pending trial on this action,
21 it is ORDERED that Defendants, and their agents, servants, employees, dealer,
22 distributors, attorneys and all persons in active concert and participation with
23 Defendants are hereby:

24 1. RESTRAINED AND ENJOINED from:

25 a. making, using, selling, offering for sale, holding for sale,
26 shipping, importing, advertising, marketing, and promoting any wheel, including but
27 not limited to the STR-613 wheel, that infringes Plaintiff's U.S. Patent No.
28 D681,541 ("the '541 patent");

- b. making, using, selling, offering for sale, holding for sale, shipping, importing, advertising, marketing, and promoting the STR-613 wheel that Plaintiff alleges are advertised, marketed, and/or promoted by Defendants using Plaintiff's well-known trademark VOSSEN (hereinafter "the VOSSEN mark"); and
- c. using Plaintiff's VOSSEN mark to sell, advertise, market, and promote any products;

2. ORDERED to destroy all remaining wheels, products, advertisements, circulars, brochures or other promotional or advertising items, web site or other materials for their infringing wheels;

10 3. ORDERED to remove all signage and deliver up for destruction all
11 materials and matter in their possession or custody or under their control that
12 infringe Plaintiff's VOSSEN mark, including, without limitation, all advertising and
13 promotional materials;

14 4. ORDERED to eliminate all advertising under or bearing the VOSSEN
15 mark or any other confusingly similar designations from all media including, but not
16 limited to, newspapers, flyers, coupons, signs, promotions, and Internet sites,
17 including but not limited to Facebook® pages and Twitter® accounts and postings,
18 all at Defendant's cost;

19 5. ORDERED to correct their advertising in a form, manner, content, and
20 frequency that is acceptable to Plaintiff and the Court;

21 6. ORDERED to pay Plaintiff's costs and expenses, including but not
22 limited to reasonable attorneys' fees incurred by Plaintiff in connection with this
23 action, based on the Court's finding that Defendants' actions were willfully in
24 disregard of Plaintiff's rights;

25 a. within fourteen (14) days of entry of this Order Plaintiff shall
26 serve upon Defendants an itemization of the costs and expenses, including
27 reasonable attorney fees, incurred by Plaintiff in connection with this action; and

b. within seven (7) days of receipt of the itemization, Defendants shall file with the Court any objections to such costs and expense;

3 7. ORDERED to file with the Court and serve upon Plaintiff's counsel
4 within twenty-one (21) days after entry of this injunction, a written report, under
5 oath, setting forth in detail the manner in which they have complied with such
6 injunction; and

7 8. ORDERED that no security shall be required for the preliminary
8 injunction herein imposed due to Defendants' willful actions herein and Defendants'
9 failure to file an opposition pursuant to this Court's Order of November 15, 2013
10 [Dkt No. 21].

11 || SO ORDERED.

12

13 || Date: December 9, 2013

Andy B. Collins

Honorable Audrey B. Collins
Judge of the United States District Court
for the Central District of California